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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/310.880 05/14/99 HARARI

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020227 MMC1/0711  
MAJESTIC PARSONS SIEBERT & HSUE  
SUITE 1100  
FOUR EMBARCADERO CENTER  
SAN FRANCISCO CA 94111-4106

EXAMINER

PHAN, T

ART UNIT

PAPER NUMBER

2818

DATE MAILED:

07/11/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/310,880**

Applicant(s)  
**HARARI ET AL.**

Examiner  
**TRONG PHAN**

Group Art Unit  
**2818**



☒ Responsive to communication(s) filed on 5/14/99

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-80 is/are pending in the application.

Of the above, claim(s) 1-62 have been canceled is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 63-80 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2818

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371<sup>©</sup> of this title before the invention thereof by the applicant for patent.

2. Claims 63-75 are rejected under 35 U.S.C. 102(e) as being anticipated by Richard et al., 5,774,395.

Claims 63-75 are duplicates of claims 1, 9-13, 15-20 and 22 of Richard et al., 5,774,395.

3. Claims 76-80 are rejected under 35 U.S.C. 102(e) as being anticipated by Hollmer et al., 5,828,601.

Claims 76-80 are duplicates of claims 1-3, 14 and 16 of Hollmer et al., 5,828,601.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Primary Examiner Trong Phan whose telephone number is (703) 308-4870.



**TRONG PHAN  
PRIMARY EXAMINER**

July 10, 2000